



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,008	11/14/2003	Juergen Halm	245129US41CONT	7875
22850	7590	01/11/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			ZANELLI, MICHAEL J	
		ART UNIT	PAPER NUMBER	
		3661		

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/712,008	HALM ET AL.	
	Examiner Michael J. Zanelli	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 November 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-61 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 16-21 and 43-61 is/are allowed.
 6) Claim(s) 1-7,10,11,14,15,24-28,30,33,34 and 36-41 is/are rejected.
 7) Claim(s) 8,9,12,13,22,23,29,31,32,35 and 42 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/1/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is responsive to the amendment filed 11/18/04. Claims 1-61 are pending.
2. The terminal disclaimer filed on 11/18/04 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Application S.N. 10/282,329 has been reviewed and is accepted. The terminal disclaimer has been recorded.
3. The IDS filed 6/1/04 has been considered.
4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1-6, 11, 14 and 15 stand rejected under 35 U.S.C. 102(b) as being anticipated by Crowne et al. (5,723,870).

A. As per claim 1, Crowne discloses a system for interrogating sensors onboard aircraft as essentially shown in Figs. 1A and 2. An onboard sensor (12) monitors an aircraft parameter and provides signals (42) related thereto. A means (54) transmits the monitored parameter and a means (44) receives interrogation signals. A processing means (34) includes means (56) for transmitting an interrogation signal and a means (58) for receiving the monitored aircraft parameter. A means (38) is provided to display the information. The claim has been amended to include means for converting energy taken from surroundings of means for generating energy for the monitoring means. However, Crowne discloses converting electromagnetic energy into electrical energy for powering the monitoring means (col. 5, lines 30-38).

B. As per claim 2, as above wherein the monitored parameter is preliminarily processed (i.e., encoder 32) prior to transmission.

C. As per claim 3, as above wherein the means positioned on the aircraft includes its own power source (46).

D. As per claims 4-6 and 15, as above wherein the onboard means and the processing means are separate units as shown in Fig. 2 and may be linked by wireless means, including infrared (col. 6, lines 7-21).

E. As per claims 11 and 14, as above wherein the means for processing may be a handheld device used to sense the content of a fuel tank (col. 5, lines 2-7, 22-24).

8. Claims 1-5, 7, 10, 11, 15, 24-28, 30, 33, 34 and 36-41 are rejected under 35

U.S.C. 102(b) as being anticipated by Belk et al. (5,969,260).

A. As per claim 1, Belk discloses a system for interrogating sensors onboard aircraft as essentially shown in Fig. 2. An onboard sensor (18) monitors an aircraft parameter and provides signals related thereto. A means (20) transmits the monitored parameter and receives interrogation signals. A processing means (22) includes means for transmitting an interrogation signal and for receiving the monitored aircraft parameter (col. 6, lines 33-51). The processing means may include a display (col. 7, lines 52-56). The claim has been amended to include means for converting energy taken from surroundings of means for generating energy for the monitoring means. However, Belk discloses converting electromagnetic energy into electrical energy for powering the monitoring means (col. 6, lines 53-61).

B. As per claim 2, as above wherein the monitored parameter is preliminarily processed prior to transmission (col. 6, lines 19-32).

Art Unit: 3661

C. As per claim 3, as above wherein the means positioned on the aircraft includes its own power source (col. 2, lines 53-58; col. 2, lines 64-66).

D. As per claims 4, 5 and 15, as above wherein the monitoring means and processing means are separate units and may be linked through wireless communication means (Fig. 2; col. 2, lines 29-51).

E. As per claims 7, 10 and 11, as above wherein the processing means may be a handheld unit used by an inspector to interrogate onboard sensors and display information and/or store the information for later processing and analysis (col. 2, lines 29-51; col. 6, lines 17-19; col. 7, lines 50-60).

F. As per claims 24 and 37, as noted above for claim 1 wherein Belk monitors a wing flap component (Fig. 4; col. 6, lines 33-46).

G. As per claims 25-28, 30, 33, 34, 36 and 38-41, note claims 2-5, 7, 10, 11 and 15 above.

9. Claims 16-21 and 43-61 are allowed.

10. Claims 8, 9, 12, 13, 22, 23, 29, 31, 32, 35 and 42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. **REMARKS**

A. With regards to amended claim 1, both Crowne and Belk meet the added limitation insofar that the power generated to operate the monitoring circuits is obtained by converting energy obtained from the surroundings. The specification does not limit

the claimed means to the particular structures identified by applicant in his remarks, but rather cites theses structures as “examples” [0034].

B. As per newly added claims 24-28, 30, 33, 34 and 36-41, these claims do not include the specific limitations set forth in allowable claim 12. In particular, claim 12 includes sensing wear and tear of a wing flap *actuator*. Belk detects defects in a wing flap component (i.e., surface).

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Zanelli whose telephone number is (703) 305-9756. The examiner can normally be reached on Monday-Thursday 5:30 AM - 4:00 PM.

Art Unit: 3661

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/mjz



MICHAEL J. ZANELLI
PRIMARY EXAMINER